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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 12917 (PTQ-0027)  
Inventors: Van Eyk et al.  
Serial No.: 09/115,589  
Filing Date: July 15, 1998  
Examiner: Gucker, S.  
Group Art Unit: 1647  
Title: Methods of Diagnosing Muscle Damage

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By Kathleen A. Tyrell  
Typed Name: Kathleen A. Tyrell, Reg. No. 38,350

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Reply to Restriction Requirement

This is a reply to the Restriction Requirement dated November 16, 2001 setting a one (1) month statutory period for response. Please enter the following remarks into the record.

**REMARKS**

Claims 1 through 28 and 53 through 55 are pending in the instant application. The Examiner suggests that claim 54 is generic to a plurality of disclosed patentably distinct species comprising peptide fragments of: a)  $\alpha$ -actinin; b) troponin I; c)